

Article - Public Utilities

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§7–207.2.

(a) This section applies to a person who constructs a generating station that:

(1) has the capacity to produce at least 2 megawatts of electricity from a solar photovoltaic system; and

(2) is exempted under § 7–207.1 of this subtitle from the requirement to obtain a certificate of public convenience and necessity.

(b) (1) A person shall file an application for approval to construct a generating station under § 7–207.1 of this subtitle at least 6 months before construction commences.

(2) The Commission shall require a person who files an application for approval to construct a generating station to pay a deposit of 1% of total installed costs.

(c) (1) The Commission shall place any deposits collected under subsection (b) of this section into an escrow account.

(2) If a person demonstrates to the Commission that the person is fully authorized to commence construction within 18 months after filing an application for approval, the Commission shall refund the deposit, less reasonable administrative costs.

(3) (i) Subject to subparagraph (ii) of this paragraph, if a person does not commence construction within 18 months after filing an application for approval, the money held in the escrow account shall be:

1. deemed to be abandoned; and

2. transferred to the Maryland Strategic Energy Investment Fund under § 9–20B–05 of the State Government Article, less reasonable administrative costs.

(ii) 1. A person may request an extension for a project that does not commence construction within 18 months after the filing of an application for approval.

2. The Commission may grant the request based on factors the Commission considers compelling, including the occurrence of events outside the person's control.

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